IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

TOMMIE KING-BEY, Plaintiff, vs. PROG LEASING, LLC, d/b/a PROGRESSIVE LEASING, Defendant.	)	CASE NO. 4:16-cv-00159-JRH-GRS

JOINT MOTION TO STAY LITIGATION PENDING ARBITRATION

Defendant Prog Leasing, LLC, d/b/a Progressive Leasing and Plaintiff Tommie King-Bey (collectively, the "Parties") jointly request this Court enter an order staying this case pending arbitration of the TCPA claim set forth in Plaintiff's Complaint. Pursuant to the Arbitration Provision contained within the Parties' Leasing Agreement, Plaintiff has agreed to submit his TCPA claim to arbitration. As this TCPA claim is the only claim asserted in Plaintiff's Complaint, arbitration will likely resolve all the issues presented in this action. Thus, a stay pending arbitration in this matter is appropriate under the circumstances.

In filing this Joint Motion, Defendant has relied on Plaintiff's agreement to initiate arbitration proceedings. To facilitate compliance with this agreement, the Parties further agree that the Court should dismiss this action's Complaint with prejudice if Plaintiff fails to initiate arbitration proceedings within sixty (60) days from the entry of an order staying this case. Defendant further reserves its right to move to compel arbitration in the event such a motion becomes necessary.

Accordingly, Defendant and Plaintiff jointly request a stay of this action in its entirety pending the arbitration of Plaintiff's TCPA claim.

Dated: July 8, 2016

Respectfully submitted,

/s/ Octavio Gomez
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CERTIFICATE OF SERVICE

I hereby certify that on this day, I filed the foregoing JOINT MOTION TO STAY LITIGATION PENDING ARBITRATION with the Clerk of Court using the CM/ECF system, which will automatically serve the following parties:

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Morgan & Morgan
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Tampa, FL 33602
Counsel for Plaintiff

Date: July 8, 2016

/s/ Daniel L. Delnero
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